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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|--------------------|------------------------|-----------------|
| | | Application Number | 10/645,886 |
| | | Filing Date | August 20, 2003 |
| | | First Named Inventor | Paul E. JACOBS |
| | | Art Unit | 3622 |
| | | Examiner Name | R. Alvarez |
| Total Number of Pages in This Submission | 18 plus 4 pages | Attorney Docket Number | 000373D3 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | References (49) Return Postcard |
| <input checked="" type="checkbox"/> Information Disclosure Statement; PTO Form 1449 | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Customer Number 23696 | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

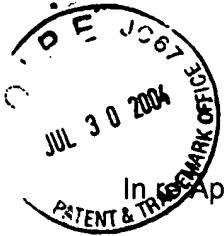
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | QUALCOMM, INC. Robert J. O'Connell - 44,265 |
| Signature | |
| Date | July 28, 2004 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7/28/04

Signature:
(Tami Procopio)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JACOBS, et al.

Serial No.: 09/645,886

Filed: August 20, 2003

Art Unit: 3622

Examiner: R. Alvarez

For: **E-MAIL SOFTWARE AND METHOD AND SYSTEM FOR DISTRIBUTING ADVERTISEMENTS TO CLIENT DEVICES THAT HAVE SUCH E-MAIL SOFTWARE INSTALLED THEREON**

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Box 1450, Alexandria, VA. 22313-1450

7/20/04

Signature

Tami M. Procopio

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith, in accordance with 37 CFR § 1.98, the patents, publications and other information listed on the enclosed Form PTO-1449.

The references submitted herewith are those of which Applicants are aware, which they believe may be material to the examination of this application and, with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56. While the references identified may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application, unless specifically designated as such. Additionally, the filing of this Information Disclosure Statement shall not be construed to mean that any search has been made or, that if made, such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

A list of the references is set forth on Form PTO-1449, which is enclosed herewith, along with a copy of each cited reference. Applicants respectfully request that the Examiner return to Applicants a copy of the Form PTO-1449 indicating consideration of the references cited thereon.

References A25, B8, and C1 were forwarded to the applicants by the Office in two Notifications identifying prior art submitted in late protests in co-pending applications 09/728,651 and 09/732,158.

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$180.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby further authorized to charge payment of any additional fees that may be required, or credit any overpayment, to Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.

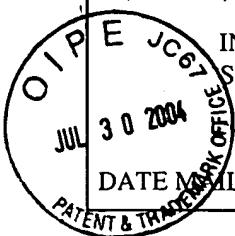
Respectfully submitted,

Date: July 28, 2004

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| | | | |
|--|--|------------------------------|-----------------------------------|
| FORM PTO-1449 - (REV. 7-80) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 000373D3 | SERIAL NO. 10/645,886 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i> | | APPLICANT JACOBS et al. | |
| DATE MAILED: July 28, 2004 | | FILING DATE 08/20/2003 | GROUP/EXAMINER 3622/R. Alvarez |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | | | | | | | | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|---|---|---|---|---|---|--|----------|--------------------|-------|--------------|----------------------------------|
| A1 | 6 | 0 | 1 | 4 | 5 | 0 | 2 | | 1/11/00 | Moraes | 395 | 200.49 | |
| A2 | 5 | 9 | 5 | 9 | 6 | 2 | 3 | | 9/28/99 | van Hoff et al. | 345 | 333 | |
| A3 | 5 | 9 | 4 | 6 | 6 | 4 | 6 | | 8/31/99 | Schena et al. | 702 | 177 | |
| A4 | 5 | 9 | 3 | 7 | 3 | 9 | 2 | | 8/10/99 | Alberts | 705 | 14 | |
| A5 | 5 | 9 | 1 | 3 | 0 | 4 | 0 | | 6/15/99 | Rakavy et al. | 395 | 200.62 | |
| A6 | 5 | 8 | 3 | 8 | 7 | 9 | 0 | | 11/17/98 | McAuliffe et al. | 380 | 4 | |
| A7 | 5 | 8 | 1 | 2 | 7 | 8 | 4 | | 9/22/98 | Watson et al. | 395 | 200.57 | |
| A8 | 5 | 8 | 0 | 9 | 2 | 4 | 2 | | 9/15/98 | Shaw et al. | 395 | 200.47 | |
| A9 | 5 | 7 | 9 | 4 | 2 | 1 | 0 | | 8/11/98 | Goldhaber et al. | 705 | 14 | |
| A10 | 5 | 7 | 8 | 1 | 8 | 9 | 4 | | 7/14/98 | Petrecca et al. | 705 | 14 | |
| A11 | 5 | 6 | 6 | 4 | 9 | 4 | 8 | | 9/9/97 | Dimitriadis et al. | 434 | 307 | |
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| A13 | 5 | 4 | 8 | 3 | 4 | 6 | 6 | | 1/9/96 | Kawahara et al. | 364 | 514 | |
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| A16 | 5 | 4 | 5 | 1 | 9 | 9 | 8 | | 9/19/95 | Hamrick | 348 | 13 | |
| A17 | 5 | 4 | 4 | 2 | 7 | 7 | 1 | | 8/15/95 | Filepp et al. | 395 | 650 | |
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| A19 | 5 | 3 | 7 | 7 | 3 | 5 | 4 | | 12/27/94 | Scannell et al. | 395 | 650 | |
| A20 | 5 | 3 | 4 | 7 | 6 | 3 | 2 | | 9/13/94 | Filepp et al. | 395 | 200 | |
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| A25 | 6 | 1 | 4 | 1 | 0 | 1 | 0 | | 10/31/00 | Hoyle | 345 | 356 | |
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| A27 | 6 | 3 | 3 | 9 | 7 | 9 | 5 | | 1/15/02 | Narurkar et al. | 709 | 246 | |
| A28 | 6 | 6 | 5 | 8 | 4 | 6 | 5 | | 12/02/03 | Touboul | 709 | 223 | |
| A29 | 6 | 1 | 3 | 4 | 5 | 8 | 4 | | 10/17/00 | Chang et al. | 709 | 219 | |
| A30 | 6 | 4 | 8 | 7 | 5 | 3 | 8 | | 11/26/02 | Gupta et al. | 705 | 14 | |

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| | A31 | 6 | 3 | 8 | 1 | 7 | 0 | 9 | 4/30/02 | Casagrande et al. | 714 | 18 | |
| | A32 | 5 | 9 | 1 | 8 | 0 | 1 | 4 | 6/29/99 | Robinson | 395 | 200 | |
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| | A36 | 6 | 2 | 1 | 6 | 1 | 1 | 2 | 04/10/2001 | Fuller et al. | 705 | 14 | |
| | A37 | 5 | 8 | 5 | 4 | 8 | 9 | 7 | 12/29/1998 | Radziewicz et al. | 395 | 200.54 | |
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| EXAMINER INITIAL | Ref No | DOCUMENT NUMBER | | | | | | | DATE | COUNTRY | NAME | CLASS | SUB CLASS | |
|------------------|--------|-----------------|---|----|---|---|---|---|------|----------|------|------------------|-----------|-------|
| | B1 | E | P | 8 | 2 | 2 | 5 | 3 | 5 | 2/4/1998 | EPO | Apte et al. | G09F | 27/00 |
| | B2 | W | O | 99 | 5 | 9 | 0 | 9 | 7 | 11/18/99 | PCT | Werkhoven | G06F | 19/00 |
| | B3 | W | O | 99 | 5 | 2 | 0 | 5 | 6 | 10/14/99 | PCT | Horstmann | G06F | 17/60 |
| | B4 | W | O | 99 | 1 | 3 | 4 | 2 | 3 | 3/18/99 | PCT | Middleton et al. | G06F | 17/60 |
| | B5 | W | O | 98 | 4 | 7 | 0 | 9 | 0 | 10/22/98 | PCT | Servan-Schreiber | G06F | 17/60 |
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| | B7 | W | O | 96 | 2 | 4 | 2 | 1 | 3 | 8/8/96 | PCT | Goldschmitt | H04L | 29/06 |
| | B8 | W | O | 99 | 5 | 5 | 0 | 6 | 6 | 10/28/99 | PCT | Zetmeir | H04M | 3/00 |

OTHER PRIOR ART (*Including Author, Title, Date, Pertinent Page, Etc.*)

| | | | | | | | | | | | | | |
|---|----|--|--|--|--|--|--|--|--|--|--|--|--|
| | C1 | | Claria Company Information, Corporate Overview. www.claria.com/companyinfo 4/12/2004 | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | C2 | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | C3 | | | | | | | | | | | | |
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| EXAMINER | | | DATE CONSIDERED | | | | | | | | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | | | | | | | |